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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/645,984	08/22/2003	Margaretha H. Wirawan	WIRM.001A	8626
20995	7590	03/20/2006	EXAMINER	
KNOBBE MARTENS OLSON & BEAR LLP 2040 MAIN STREET FOURTEENTH FLOOR IRVINE, CA 92614			SLACK, NAOKO N	
			ART UNIT	PAPER NUMBER
			3635	
DATE MAILED: 03/20/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/645,984

Applicant(s)

WIRAWAN, MARGARETHA H.

Examiner

Naoko Slack

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 19 January 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) 8, 14, 17 and 21 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7, 9-13 and 15-18 is/are rejected.
- 7) ☒ Claim(s) 19 and 20 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 8/22/03.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

In view of applicant's election of species 25- Figures 31 and 32, claims 1-7, 9-13, 15, 16, 18-20 have been examined.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 3, 4, 9, 11 are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent 4,581,865 to Miller.

#### Claim 3:

Miller discloses a window assembly comprising a first window frame (26), a first window panel assembly supported by the frame (10), the frame comprising an accessory pocket (12) extending around the periphery (12, Figure 1) and made integral with the frame after attachment with an adhesive, and a second window frame (14, Figure 6) engaged with the pocket.

#### Claim 4:

The second window panel assembly (18) is supported by the second frame (14).

#### Claim 9:

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Miller discloses a window assembly comprising a frame (26), a first window panel assembly supported by the frame (10), a second window panel assembly (14) supported by the frame (10) and having a second visual appearance different from the first visual appearance.

Claim 11:

The first window panel assembly comprises a non-specular, non-mirrored surface.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 7 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 4,581,865 to Miller in view of US Patent 5,821,001 to Arbab et al.

Claims 7 and 13:

While Miller does not disclose that the second window panel assembly includes a low-emissivity property, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use a window panel with low-emissivity in Miller's second window assembly, as Miller is concerned with forming an insulated window system.

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Claims 1, 5, 6, 10, 15, 18, 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 4,581,865 to Miller in view of US Patent 5,448,864 to Rosamond and US Patent 5,821,001 to Arbab et al.

Claims 1, 5, 6, 10, 15, 18:

Miller discloses an insulating window assembly comprising a first window frame (26), a first window panel assembly supported by the frame (10), the frame comprising an accessory pocket (12) made integral with the frame and extending around the periphery (Figure 1) and a second window frame (14, Figure 6) comprising a projection (38) extending into the pocket, thereby supported by the frame (10).

While Miller discloses a window pane supported by a frame and does not teach a window assembly comprising glass blocks, Miller states that the insulating panel may be applied to any type of window (column 1, lines 39-41). Rosamond discloses a glass block window assembly with improved thermal insulation, weather resistance qualities and non-specular surfaces. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply Miller's insulating panel to any type of window frame such as Rosamond's glass block window frame.

While Miller does not disclose that the second window panel assembly includes a low-emissivity property, Arbab et al. discloses multiple advantages of the low-emissivity coating on transparent substrates such as window panels. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use a window panel with low-emissivity in Miller's second

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window assembly, as Miller is concerned with forming an insulated window system.

Claims 2 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 4,581,865 to Miller, US Patent 5,448,864 to Rosamond, and US Patent 5,821,001 to Arbab et al. as applied to claims 1 and 15 above and further in view of US Patent 3,971,178 to Mazzoni et al.

Claims 2 and 16:

While Miller does not teach the application of desiccant material between the first and second window assemblies, Mazzoni et al. teaches an add-on multiple glazing and disposes desiccant between the existing glazing and the added glazing. In view of Mazzoni et al., it would have been obvious to one of ordinary skill in the art at the time the invention was made to dispose desiccant between the Miller's insulating panel and an existing window frame assembly to prevent moisture accumulation between the window assemblies.

#### ***Allowable Subject Matter***

Claims 19 and 20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

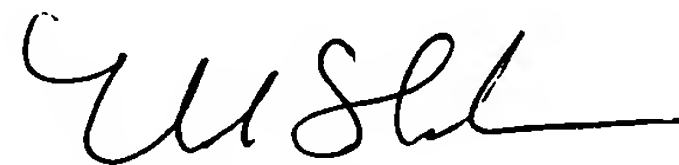
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***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Naoko Slack whose current telephone number is 571-272-6848. The examiner can normally be reached on Mon-Fri (6:00 am-2:30pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carl D. Friedman can be reached on 571-272-6842. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Naoko Slack  
Primary Examiner  
Art Unit 3635

NS  
March 8, 2006